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- 62) Defendant Bramble, snatched the chair from the Plaintiff's hands and continued to spray Plaintiff.
- 63) Defendant Bramble, then grabbed his handcuffs and using them in the form of brass knuckles, attempted to hit the Plaintiff in the face with them. Missing only because Plaintiff managed to turn, twist his body and throw himself to the floor. However,
- 64) Defendant Bramble, then raised his arm and brought the pointed part of the handcuffs down into Plaintiff's right shoulder. Causing a gash in the same.
- 65) Defendant Bramble, continued to roll up Plaintiff even after Plaintiff had curled up on the floor in an attempt to protect himself as much as he could. Until Defendant Bramble, used his shoulder mix to call ~~the~~ the situation into order.
- ~~Plaintiff was then~~
- 66) Plaintiff was placed in a holding cell, Denied medical treatment by the nurse and transferred to Delaware Correctional Center and was again denied medical treatment.
- 67) On or about the date of February 19, 2005 Plaintiff filed a Institutional Grievance, which was rejected as both "Non-Grievable" and "expired filing period". On Feb. 21, 2005.

## Claims For Relief

- 68) THE failure of Defendants Commissioner Stanley Taylor, Department of Corrections, warden Vincent Biondo and warden Bob George to establish rules and regulations and adequate enforcement of rules and regulations consistent with state and federal constitution and state laws and adequate and fair review of decisions constitutes negligence, cruel and inhumane treatment, Due Process and equal protection violations.
- 69) Defendants Bill Eto, Ms. Moore and John Doe's failure to allow the Plaintiff to be present to represent himself at disciplinary hearing constitutes deliberate indifference, Due Process and equal protection violations of the constitution.
- 70) Defendants Bill Eto, Ms. Moore and John Doe's collective decision to sentence the Plaintiff to a sentence outside of guidelines constitutes false imprisonment, deliberate indifference, cruel and inhumane treatment, Due Process and equal protection violations of the constitution.
- 71) Defendants Bill Eto, Ms. Moore and John Doe's failure to provide Plaintiff with a fair, timely appeal process constituted malicious Denial of Due Process, equal protection and deliberate indifference.
- 72) THE actions of Defendant Adam J. Bramble in subjecting

The Plaintiff & unnecessary, malicious force with weapons constitutes assault, cruel and inhumane treatment, equal protection violation with malicious intent.

73) The failure of Defendants Michael Records, Cline Daniels, Cindy Scalo, Michael Costello, Barbara Costello to take reasonable actions of corrective measure to have Plaintiff's sanctions corrected and for Plaintiff returned to his original status ~~constit~~ consistent with rules, regulations and Delaware laws constitutes cruel and inhumane treatment, deliberate indifference, Denial of Due Process and equal protection rights.

74) Defendant Cindy Scalo's failure - refusal to file or assist Plaintiff in filing appropriate - required modifications with State Court constitutes deliberate indifference, cruel and inhumane treatment, Due Process and equal protection violations of the constitution.

A. Award Compensatory damages in the following amounts:

50,000 jointly and severally against defendants Stanley Taylor, Vincent Bianco, Bob George and the Department of Corrections for the physical and emotional injuries sustained as a result of these defendants failure to adequately establish and/or enforce rules and regulations and laws of the State and U.S. Constitution



200,000 jointly and severally against defendants Bill Ette, Ms. Moore and John Doe for the punishment and emotional injuries sustained as a result of their denial of Plaintiff's Due Process rights in connection with disciplinary hearing, sanctions and appeal process as well as false imprisonment.

300,000 against defendant Adam Brumble for the physical and emotional injuries suffered as a result of defendant's unnecessary, unprovoked assault of Plaintiff.

20,000 jointly and severally against defendants Michael Records, Cline Daniels, Cindy Seala, Michael Costello and Barbara Costello for the emotional injuries suffered as a result of defendants failure to take appropriate actions.

100,000 against Department of Corrections, Bill Ette, Ms. Moore, John Doe, Vincent Binucci for wages lost due to the unconstitutional sanctions and false imprisonment of the Plaintiff throughout relevant time period.

B. Award Punitive damages in the following amounts:

1) 20,000 each against Stanley Taylor, Vincent Binucci, Bob George and Department of Corrections

2) 100,000 each against Bill Ete, Ms. Moore and John Dee

3) 150,000 against Adam Brumby

4) 10,000 each against Michael Records, Clive Daniels,  
Cindy Seala, Michael Costello and Barbara

C. Grant such other relief as it may appear that  
the Plaintiff is entitled.

Respectfully Submitted Kenneth Holland  
Date: 1 1  
Mr. Kenneth L. Holland  
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